

**REMARKS**

By this amendment, Applicants amend claims 1, 8, 12, and 16. Accordingly, claims 1, 2, 5-9, 11-14, and 16-18 are now pending in this application.

In the Final Office Action<sup>1</sup>, the Examiner rejected claims 1, 5-8, 11, 12, 14, 16, and 18 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 7,007,278 to Gungabeesoon (“*Gungabeesoon*”) in view of U.S. Patent No. 6,449,617 to Quinn et al. (“*Quinn*”) in further view of U.S. Patent No. 7,003,482 to Margoscin et al. (“*Margoscin*”); and rejected claims 2, 9, 13, and 17 under 35 U.S.C. § 103(a) as being unpatentable over *Gungabeesoon* in view of *Quinn* and *Margoscin*, and in further view of “Database Performance in the Real World: TPC-D and SAP R/3” by Doppelhammer et al. (“*Doppelhammer*”).

**Rejection of Claims 1, 5-8, 11, 12, 14, 16, and 18 Under 35 U.S.C. § 103(a)**

Applicants respectfully traverse the rejection of claims 1, 5-8, 11, 12, 14, 16, and 18 under 35 U.S.C. § 103(a) as being anticipated by *Gungabeesoon* in view of *Quinn* and in further view of *Margoscin*. A *prima facie* case of obviousness has not been established.

The key to supporting any rejection under 35 U.S.C. § 103 is the clear articulation of the reason(s) why the claimed invention would have been obvious. See M.P.E.P. § 2142, 8th Ed., Rev. 6 (Sept. 2007). Such an analysis should be made explicit and cannot be premised upon mere conclusory statements. See *id.* “A

---

<sup>1</sup> The Final Office Action may contain a number of statements reflecting characterizations of the related art and the claims. Regardless of whether any such statement is identified herein, Applicants decline to automatically subscribe to any statement or characterization in the Final Office Action.

conclusion of obviousness requires that the reference(s) relied upon be enabling in that it put the public in possession of the claimed invention.” M.P.E.P. § 2145. Furthermore, “[t]he mere fact that references can be combined or modified does not render the resultant combination obvious unless the results would have been predictable to one of ordinary skill in the art” at the time the invention was made. M.P.E.P. § 2143.01(III), internal citation omitted. Moreover, “[i]n determining the differences between the prior art and the claims, the question under 35 U.S.C. § 103 is not whether the differences themselves would have been obvious, but whether the claimed invention as a whole would have been obvious.” M.P.E.P. § 2141.02(I), internal citations omitted (emphasis in original).

“[T]he framework for the objective analysis for determining obviousness under 35 U.S.C. 103 is stated in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966). . . . The factual inquiries . . . [include determining the scope and content of the prior art and] . . . [a]scertaining the differences between the claimed invention and the prior art.” M.P.E.P. § 2141(II). “Office personnel must explain why the difference(s) between the prior art and the claimed invention would have been obvious to one of ordinary skill in the art.” M.P.E.P. § 2141(III).

Amended independent claim 1 recites a computer program product, including “the converted design-time representation of the application including one or more application views based on the one or more application screens, and converted processing logic based on the original processing logic, the converted processing logic being a design-time representation used to generate run-time code for the original processing logic, the run-time code for the original processing logic is configured to be

executed in the second run-time environment.” At least these features are not disclosed or suggested by *Gungabeesoon*, *Quinn*, and *Margoscin*.

*Gungabeesoon* discloses accessing a legacy application from the Internet. (Title). After receiving a job request from the Internet, legacy application 122 performs the requested job and sends output data to the requestor. (Col. 8, lines 14-16). *Gungabeesoon* further discloses that the output data may then be reformatted to adapt to display devices of various formats and styles by using screen definitions 440, which are “user interface (UI) definitions” that “are stored separately as screen definition files.” (Col. 8, lines 19-48). That is, in *Gungabeesoon*, screen definitions 440 are merely UI definitions used to reformat data for different display devices. Thus, screen definitions 440 cannot be representative of legacy application 122, which “continue[s] running, as-is, in [its] native environment”. (Col. 7, lines 52-53). Therefore, *Gungabeesoon* fails to teach or suggest “**design-time representation of the application**,” which includes “**processing logic** based on the original processing logic,” as recited in claim 1 (emphasis added). The rejection of claim 1 is improper for at least this reason.

Additionally, even if *Gungabeesoon* teaches or even suggests “design-time representation of the application,” which Applicants do not concede, *Gungabeesoon* fails to teach or suggest “**processing logic being a design-time representation** used to generate run-time code for the original processing logic, the run-time code for the original processing logic is configured to be executed in the second run-time environment,” as recite in claim 1. Therefore, *Gungabeesoon* fails to teach or suggest “the converted design-time representation of the application including one or more application views based on the one or more application screens, and converted

processing logic based on the original processing logic, the converted processing logic being a design-time representation used to generate run-time code for the original processing logic, the run-time code for the original processing logic is configured to be executed in the second run-time environment."

*Quinn* and *Margoscin* do not overcome for the deficiencies of *Gungabeesoon*. The Office Action alleges that *Quinn* discloses a set of HTML code that includes a flag identifying the application that generated the code, and that *Margoscin* discloses a middleware program that functions as an adapter operable to interface with a user interface and a business transaction server. (Office Action, pg. 6). Even if these allegations are correct, which Applicants do not concede, *Quinn* and *Margoscin* do not teach or suggest "the converted design-time representation of the application including one or more application views based on the one or more application screens, and converted processing logic based on the original processing logic, the converted processing logic being a design-time representation used to generate run-time code for the original processing logic, the run-time code for the original processing logic is configured to be executed in the second run-time environment," as recited in claim 1. Therefore, *Gungabeesoon*, *Quinn*, and *Margoscin*, taken individually or in combination, do not teach or suggest all of the elements of claim 1.

Independent claims 8, 12, and 16, while differing in scope, recite elements similar to those of claim 1 discussed above. Accordingly, the rejection of independent claims 8, 12, and 16 should be withdrawn.

Dependent claims 5, 6, 7, 11, 14, and 18 depend either directly or indirectly from claims 1, 8, 12, and 16. The rejection of claims 5, 6, 7, 11, 14, and 18 is improper and should be withdrawn at least due to their dependence.

**Rejection of Claims 2, 9, 13, and 17 Under 35 U.S.C. § 103(a)**

Applicants respectfully traverse the rejection of claims 2, 9, 13, and 17 under 35 U.S.C. § 103(a) as being unpatentable over *Gungabeesoon* in view of *Margoscin* and *Doppelhammer*. A *prima facie* case of obviousness has not been established.

Claim 2 depends from independent claim 1. As explained above, *Gungabeesoon*, *Quinn*, and *Margoscin*, taken individually or in combination, do not teach or suggest all of the elements of claim 1. Moreover, *Doppelhammer* does not overcome for the deficiencies of *Gungabeesoon*, *Quinn*, and *Margoscin*. That is, *Doppelhammer* does not teach or suggest “the converted design-time representation of the application including one or more application views based on the one or more application screens, and converted processing logic based on the original processing logic, the converted processing logic being a design-time representation used to generate run-time code for the original processing logic, the run-time code for the original processing logic is configured to be executed in the second run-time environment,” as recited in claim 1 and required by claim 2 due to its dependence. Therefore, the Office Action has neither properly determined the scope and content of the prior art nor properly ascertained the differences between the prior art and the claimed invention. Accordingly, no reason has been clearly articulated as to why claim 2 would have been obvious to one of ordinary skill in view of the prior art. Claims 9, 13, and 17 depend from claims 8, 12, and 16 respectively, which each recite elements

similar to those of claim 1, as demonstrated above. Thus, the rejection of claims 9, 13, and 17 is improper due to their dependence. Therefore, a *prima facie* case of obviousness has not been established and the Examiner should withdraw the rejection of claims 2, 9, 13, and 17.

**CONCLUSION**

In view of the foregoing, Applicants respectfully request reconsideration and reexamination of this application and the timely allowance of the pending claims.

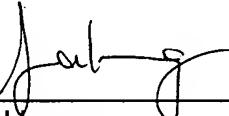
Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: November 19, 2008

By: \_\_\_\_\_

  
Samuel Leung  
Limited Recognition Certificate No.  
L0345  
(202) 408-4113